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09/585,812	05/19/2000	James A. Stob	STOB-0001	4117

36563 7590 02/22/2006	EXAMINER	
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HORSHAM, PA 19044	ART UNIT	PAPER NUMBER
	2143	

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/585,812	STOB, JAMES A.
	Examiner	**Art Unit**	
	George C. Neurauter, Jr.	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 November 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-14,16-19,25-29,32-34,36,38,43 and 48-53</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-14, 16-19, 25-29, 32-34, 36, 38, 43, and 48-53</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claims 1-14, 16-19, 25-29, 32-34, 36, 38, 43, and 48-53 are currently presented and have been examined.

Response to Arguments

Applicant's arguments filed 8 November 2005 have been fully considered but they are not persuasive.

Within the response filed 8 November 2005, the Applicant has failed to corroborate any of the filed remarks meant to support the claimed invention with the proper support within the specification. Therefore, the Examiner will rely on the Examiner's view of the specification in order to respond to the Applicant's arguments.

The Applicant argues that the references do not disclose the steps of determining if a particular file name should be submitted to at least one search engine and submitting an acceptable uniform resource locator as claimed. The Applicant also argues that the determining and the submitting are accomplished automatically by the method. It is noted that claim 1 does not require that these steps occur automatically. Nevertheless, as previously shown by the Examiner, "WebPosition" does disclose wherein an automated process determines whether to submit a file name to at least one search engine known within the reference as a "Submitter". The Applicant argues that the

"Mission" that is executed by the Submitter is not automatic.

The Examiner respectfully submits that this Mission is

accomplished automatically by the Submitter. See page 5 ("Once

uploading is completed, you're ready to submit your pages to the

search engines with the Submitter. The search engines will not

be instantly aware of changes you made to your Web site.

Therefore, <u>you'll generally want to tell the search engine about</u>

<u>your new or changed pages</u>. <u>This is called "submitting"</u>. You

can go to each search engine and individually submit each of

your pages, or <u>you can use the built-in Submitter to create</u>

<u>Missions to do it automatically</u>.").

See also page 33 ("Submits to all the important search

engines supported by the software...Unlike other submitters or

submitting services, WebPosition Gold's tool verifies that each

page exists on Web site BEFORE submitting. This avoids critical

mistakes of submitting a page, then discovering 6 weeks later

that it was never indexed because the page name was misspelled

during the submitting process...[the submitter] can determine

which pages have been modified or added since the last

submission and submit only those pages)

See also page 35 ("You should list the file(s) that you

wish to submit to the search engines.")

Therefore, the broadest reasonable interpretation of the claim in accordance with MPEP 2111 in regards to the limitation "determining if the file name is to be submitted to at least one Internet cataloging search engine" and "submitting an acceptable uniform resource locator containing the file name to each of the at least one Internet cataloging engines, each submission to be made in accordance with a set of submission parameters associated with the corresponding Internet cataloging engine." simply require that a decision is rendered regarding whether the file name should be submitted and that a URL of the file name is submitted with submission parameters that are set by any entity including the Internet cataloging engine itself. As shown previously by the Examiner, the "Submitter" as disclosed in "WebPosition" refers to the "Mission" in order to determine whether a file name is to be submitted to at least one Internet cataloging engine and as such is completed automatically by the "Submitter" and submits a URL in accordance with the submission parameters of the Internet cataloging engine.

The Applicant argues on page 15 of the response that "In other words, the "submission parameters" in the present invention are not merely limited to a search engine's rules of acceptability but may be generated independent of the search engine so that the acceptance of the URLs submitted to the

search engines is greatly increased or can be tailored to

achieve a desired result". As pointed out above, the Applicant

failed to point out specifically the support for such a

limitation is within the specification. A general search for

"submission parameters" within the specification did not reveal

such a definition and, in the view of the Examiner, is

unsupported by the specification. Assuming that the limitation

is supported by the specification and is defined as argued by

the Applicant, the Examiner agrees that the limitation

"submission parameters" can be interpreted either as parameters

that are either independent of the search engine or are required

by the search engine for submission, however, the Examiner

asserts that the broadest reasonable interpretation allows for

both possibilities. The Examiner has interpreted the claim in

that the "submission parameters" are used to submit the URL in

accordance with the requirements of the Internet cataloging

engine only since the claim does not specifically exclude such

an interpretation. Therefore, the Examiner's interpretation of

the claims is submitted to be proper and "WebPosition" discloses

the limitations as claimed.

Regarding claims 2, 18, and 19, the Applicant argues that

the language "storing only the file names known to be webpages"

refers to storing only those URLs which are in accordance with

the "set of rules". The Examiner notes that, in accordance with

the broadest reasonable interpretation of the claim, the claim

simply requires that the URLs that are known to be webpages are

stored and the claim does not recite exactly where the file

names are stored. In fact, the claim does not even require that

a URL be stored, just the file name. As previously shown by the

Examiner, the file name that is known to be a web page such is

stored at the computer executing the "WebPosition" program and

"WebPosition" does not teach wherein any other type of data

other than web pages is to be submitted to the Internet

cataloging engine(s). "WebPosition" also discloses storing the

URL of a file name at a Internet cataloging engine (page 5,

specifically "...you're ready to submit your pages to the search

engines with the Submitter. The search engines will not be

instantly aware of changes you made to your Web site.

Therefore, you'll generally want to tell the search engine about

your new or changed pages. This is called "submitting". You

can go to each search engine and individually submit each of

your pages, or you can use the built-in Submitter to create

Missions to do it automatically."). Further, in regards to

claims 18 and 19, the claim is also anticipated by the inherent

storing of web pages on the website server that serves the web

pages that the "WebPosition" invention is submitted to a search

engine.

Regarding claim 3, the Applicant argues that that the

citation of "WebPosition" is irrelevant and does not anticipate

the claim. As similarly shown in claim 2, the broadest

reasonable interpretation of the claim simply requires that the

entire file associated with the file name be stored somewhere

and the claims do not recite specifically where the files

associated with the file names are stored. It is also noted that

the claim does not require that a web page be the only data

stored; it may include any sort of data known to one of ordinary

skill to be included in a website. As shown previously by the

Examiner, the entire file may be stored on an Internet

cataloging engine when the site 'spiders' the website. Also, the

file is inherently stored on the website server.

Regarding claim 4, the Examiner submits that the limitation

"storing only the file names known to be web pages" is

anticipated as shown above. The added limitation wherein the

file names "were submitted to at least one Internet cataloging

engine" is anticipated since the "WebPosition" invention "tracks

which pages belong to which web site for reporting purposes" and

"can determine which pages have been modified or added since the

last submission and submit only those pages" as shown on page 33.

Regarding claim 5, the Examiner submits that, as shown above regarding claims 2 and 3, the claim does not require where and/or how and/or when the files are stored. Therefore, as shown previously, the claim is anticipated wherein the entire file may be stored on an Internet cataloging engine when the site 'spiders' the website.

Regarding claim 6, the claim does not require where and/or how and/or when the files are stored. As shown previously, the date and time the file name was submitted along with the Internet cataloging engine the file name was submitted to is stored in a report that is generated by the Reporter module.

Regarding claims 7 and 14, the claim does not specifically recite which entity actually accomplishes the determination. As previously shown by the Examiner, the user makes such a determination.

Regarding claim 8, again, the claim does not specifically recite which entity reads file name from a file and/or which entity has a file from which the file name is read. As previously shown by the Examiner, the user creates a Mission containing the file names which are read by the Submitter in order to retrieve the file name.

Regarding claims 9 and 10, the claims recite the method of "spidering" which is recited in "WebPosition". The Examiner submits evidence within reference cited in this Office Action that the method of "spidering" accomplishes the limitations as recited.

Regarding claim 11, the claim does not specifically recite which entity creates the URL. As previously shown and as shown above, the Submitter takes a file name given to the Submitter by a user by referring to a Mission file and submits the file name as a URL to at least one Internet cataloging engine.

Regarding claim 12, "WebPosition" does disclose determining whether previously submitted files may be submitted subsequently without violating the rules of the Internet cataloging engine which further distinguish the citations shown previously (page 33, specifically "Warns user if they try to submit too many pages at once on a single day to a single engine. Most engines now have limits per day. When exceeded an entire submission can be ignored, WebPosition Gold will queue unsubmitted pages that can be scheduled to be submitted on consecutive days.")

Regarding claim 13, the claim does not specifically require any specific "user defined rule". As shown previously, the user decides how many pages to submit to the search engines when creating a Mission. See also page 34 ("You'll enter one or more

file names on the next tab screen."). Therefore, when the

Submitter submits the files, it uses the user's decisions in the

Mission in order on which pages to submit, which is interpreted

to be a "user defined rule".

Regarding claim 15, "WebPosition" discloses the limitations

of the claim wherein "WebPosition" discloses the determination

is made on "modified" pages.

Regarding claim 16, as shown previously by the Examiner,

the user makes the ultimate decision how which pages are to be

submitted. Any pages that are not listed are not to be submitted

and are therefore not submitted in accordance with the wishes of

the user.

Regarding claim 17, the claim does not require when and/or

how the steps of submitting an acceptable uniform resource

locator are completed. In addition to the citations shown

previously, "WebPosition" does disclose that URLs are verified

before submission and are modified if necessary to conform to

the rules of the Internet cataloging engine. See page 35 ("With

other submitters, it's easy to make a typo and submit pages that

don't exist on your Web site. This option will prevent that

costly mistake. It will add some additional time required to

complete all submissions, so if you are in a hurry, and know for

certain those pages exist on your Web site, you can disable this
option.")

Therefore, the claims are not in condition for allowance.
The Examiner submits that all of the claimed limitations in each
of the references are taught by each reference at least for the
reasons shown above and as previously shown in accordance with
the broadest reasonable interpretation of the claims as required
by MPEP 2111. The references apply to the claims as currently
presented.

For the record, the Examiner reemphasizes that the claims
employ broad language including the use of words and phrases
such as submitting an acceptable uniform resource locator
containing the file name to each of the at least one Internet
cataloging engines, each submission being made in accordance
with a set of rules associated with the corresponding Internet
cataloging engine.

These words and phrases have broad meanings in the art
including both automatic and manual methods of submission of an
uniform resource locator and wherein the phrase "set of rules
associated with the corresponding Internet cataloging engine"
has a broad interpretation in terms of what the rules of the
Internet cataloging engine for "submission" of an uniform
resource locator including submission of a URL for the purposes

of a search to an Internet cataloging engine, navigating to the

Internet cataloging engine, and submitting an uniform resource

locator for cataloging including rules based on submission,

catalog categories and/or search engine ranking.

As noted previously, the Examiner has interpreted the

claims with scope in parallel to the Applicant in the response

and reiterates the need for the Applicant to more clearly and

distinctly define the claimed invention. The Applicant is also

requested to consider the cited prior art in this Office Action.

Claim Interpretation

Claims 49-53 recite "...wherein the set of rules may be

determined..." Any language that suggests or makes optional but

does not require steps to be performed or does not limit a claim

to a particular structure does not limit the scope of a claim or

claim limitation. See MPEP 2106, section II, subsection C for

specific examples.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35

U.S.C. 112:

> The specification shall conclude with one or more claims particularly
> pointing out and distinctly claiming the subject matter which the applicant
> regards as his invention.

Claims 49-53 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point

out and distinctly claim the subject matter which applicant

regards as the invention.

Claim 49 recites the limitation "the set of rules". There

is insufficient antecedent basis for this limitation in the

claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14, 16-19, 25-29, 32-34, 36, 38, 43, and 48-53 are

rejected under 35 U.S.C. 102(b) as being anticipated by

"WebPosition Gold 1.0 Help File" ("WebPosition").

Regarding claim 1, "WebPosition" discloses a website

management method for managing a website's visibility on the

Internet, comprising the steps of retrieving at least one file

name; determining if the file name is to be submitted to at

least one Internet cataloging engine, (section "Step by Step

Instructions, specifically "You can go to each search engine and

individually submit each of your pages, or you can use the

built-in Submitter to create Missions to do it automatically";

section "Reporter", subsection "Creating a Mission",

specifically "You may wish to set other options such as which

search engines to monitor if you do not want to monitor them

all..."; section "Tips on Improving Your Search Rankings!",

subsection "How to submit your pages", specifically "Go to each

search engine and select their submit URL option. Page submit

links for each search engine have been provided on the Detail

and Summary reports for your convenience! Just click on the

link on the report and you'll go right to the submit page.")

and

     submitting an acceptable uniform resource locator

containing the file name to each of the at least one Internet

cataloging engines, each submission being made in accordance

with a set of submission parameters associated with the

corresponding Internet cataloging engine. (section "Why use

WebPosition?", specifically "Once pages are created..., they

must be submitted. WebPosition offers advanced submission

"safety" features not found anywhere elsewhere that insure users

don't 'over submit' to an engine or accidentally violate one of

their ever changing submission guidelines.")

     Claim 48 is also rejected since claim 48 recites

substantially the same limitations as recited in claim 1.

Regarding claim 2, "WebPosition" discloses the website management method as in claim 1, further comprising the step of storing only the file names known to be webpages. (section "Submitter", subsection "Mission Tab", specifically "WebPosition tracks which pages belong to which web site for reporting purposes. In addition...WebPosition supports unlimited pages...")

Regarding claim 3, "WebPosition" discloses the website management method as in claim 2, further comprising the step of storing the entire file associated with the file name. (section "Submitter", subsection "Mission Tab", specifically "WebPosition tracks which pages belong to which web site for reporting purposes. In addition...WebPosition supports unlimited pages..."; section "Submitter", subsection "URLs tab", specifically the text "Many search engines suggest submitting only your home page (i.e. index.html, default.html, etc.) and it will 'spider' your site...")

Regarding claim 4, "WebPosition" discloses the website management method as in claim 1, further comprising the step of storing only the file names known to be webpages and were submitted to at least one Internet cataloging engine. (section "Submitter", subsection "Mission Tab", specifically "WebPosition tracks which pages belong to which web site for reporting

purposes. In addition...WebPosition supports unlimited

pages...")

Claim 50 is rejected since claim 50 recites substantially

the same limitations as recited in claim 4.

Regarding claim 5, "WebPosition" discloses the website

management method as in claim 4, further comprising the step of

storing the entire file associated with the file name that was

submitted to at least one Internet cataloging engine. (section

"Submitter", subsection "Mission Tab", specifically "WebPosition

tracks which pages belong to which web site for reporting

purposes. In addition...WebPosition supports unlimited

pages..."; section "Submitter", subsection "URLs tab",

specifically the text "Many search engines suggest submitting

only your home page (i.e. index.html, default.html, etc.) and it

will 'spider' your site...")

Regarding claim 6, "WebPosition" discloses the website

management method as in claim 4, wherein storing only the file

names known to be webpages further comprises storing the date

and time the file name was submitted to at least one Internet

cataloging engine and the name of the Internet cataloging

engine. (section "Reporter", subsection "Creating a Mission",

subsection "Customize Tab", specifically "Run Date - Date the

Mission was run in MM/DD/YYYY format." And "Engine - Search

engine used.")

Regarding claim 7, "WebPosition" discloses the website

management method as in claim 1, further comprising the step of

determining which file names are to be submitted to the Internet

cataloging engine. (section "Submitter", subsection "URLs Tab",

specifically "You should list the file(s) that you wish to

submit to the search engines. This can be your home page, your

"doorway" pages that you created in the page generator, or other

pages on your site.")

Regarding claim 8, "WebPosition" discloses the website

management method as in claim 1, wherein retrieving at least one

file name further comprises the step of: reading file names from

a file. (section "Submitter", subsection "URLs Tab",

specifically "You should list the file(s) that you wish to

submit to the search engines. This can be your home page, your

"doorway" pages that you created in the page generator, or other

pages on your site.")

Regarding claim 9, "WebPosition" discloses the website

management method as in claim 1, wherein retrieving at least one

file name further comprises the steps of: searching the

programming code of the file name retrieved for additional file

names known to be webpages, and searching each additional file

name known to be a webpage for additional file names known to be

webpages until all webpages linked from the file name have been

exhausted. (section "Submitter", specifically the text "Unlike

other submitters or submitting services, WebPosition Gold's tool

verifies that each page exists on Web Site BEFORE

submitting..."; section "Submitter", subsection "URLs tab",

specifically the text "Many search engines suggest submitting

only your home page (i.e. index.html, default.html, etc.) and it

will 'spider' your site and find the other pages that it links

to...")

Claim 51 is rejected since claim 51 recites substantially

the same limitations as recited in claim 9.

Regarding claim 10, "WebPosition" discloses the website

management method as in claim 1, wherein retrieving at least one

file name comprises the steps of: searching all the file names

known to be a webpage within the current directory; traversing

each and every directory from the current directory, and

searching each traversed directory for additional file names

known to be webpages. (section "Submitter", specifically the

text "Unlike other submitters or submitting services,

WebPosition Gold's tool verifies that each page exists on Web

Site BEFORE submitting..."; section "Submitter", subsection

"URLs tab", specifically the text "Many search engines suggest

submitting only your home page (i.e. index.html, default.html,

etc.) and it will 'spider' your site and find the other pages

that it links to...")

Claim 52 is rejected since claim 52 recites substantially

the same limitations as recited in claim 10.

Regarding claim 11, "WebPosition" discloses the website

management method as in claim 10, further comprising the step

of: creating a uniform resource locator by combining the file

name with the protocol, domain name, and corresponding traversed

directory name. (section "Submitter", subsection "URLs Tab",

specifically "You should list the file(s) that you wish to

submit to the search engines. This can be your home page, your

"doorway" pages that you created in the page generator, or other

pages on your site.")

Claim 53 is rejected since claim 53 recite substantially

the same limitations as recited in claim 11

Regarding claim 12, "WebPosition" discloses the website

management method as in claim 7, wherein determining which file

names are to be submitted further comprises the steps of:

checking the date the file name was last submitted to the

Internet cataloging engine; checking the submission rules

associated with the Internet cataloging engine to submit the

file name to, and allowing the file name to be submitted if the

date the file name was last submitted does not violate the rules

of the Internet cataloging engine. (section "Submitter",

specifically "...can determine which pages have been modified or

added since the last submission and submit only those pages.")

Regarding claim 13, "WebPosition" discloses the website

management method as in claim 7, wherein determining which file

names are to be submitted further comprises the steps of:

checking the user defined rules for the number of uniform

resource locators to be submitted to the Internet cataloging

engine, and allowing the file name to be submitted if the

submission does not violate a user defined rule. (section

"Submitter", subsection "URLs Tab", "You should list the file(s)

that you wish to submit to the search engines.")

Regarding claim 14, "WebPosition" discloses the website

management method as in claim 5, further comprising the steps of

determining which file names are to be submitted to the Internet

cataloging engine. (section "Submitter", subsection "URLs Tab",

specifically "You should list the file(s) that you wish to

submit to the search engines. This can be your home page, your

"doorway" pages that you created in the page generator, or other

pages on your site.")

Regarding claim 16, "WebPosition" discloses the website

management method as in claim 14, wherein determining which file

names are to be submitted further comprises the steps of:

searching a file containing file names that are not to be

submitted to Internet cataloging engines; not allowing the file

name to be submitted to an Internet cataloging engine if the

file name is found in the file containing file names that are

not to be submitted to Internet cataloging engines. (section

"Submitter", subsection "URLs Tab", "You should list the file(s)

that you wish to submit to the search engines.")

Regarding claim 17, "WebPosition" discloses a website

management method as in claim 1, wherein submitting an

acceptable uniform resource locator further comprises:

determining if the uniform resource locator is in a form

acceptable to the Internet cataloging engine, and modifying the

uniform resource locator to be in a form acceptable to the

Internet cataloging engine the uniform resource locator is to be

submitted to, if it is determined to be in a form that is

unacceptable to the Internet cataloging engine. (section

"Submitter", specifically "Unlike other submitters or submitting

services, WebPosition Gold's tool verifies that each page exists

on Web site BEFORE submitting." and "URL Verification Report

let's you know if you need to re-submit a page that the engine

refused or failed to index.")

Regarding claim 18, "WebPosition" discloses the website management method as in claim 1, further comprising the steps of storing file names known to be webpages that exist on the website being managed. (section "Submitter", specifically the text "Unlike other submitters or submitting services, WebPosition Gold's tool verifies that each page exists on Web Site BEFORE submitting..."; section "Submitter", subsection "Mission Tab", specifically "WebPosition tracks which pages belong to which web site for reporting purposes. In addition...WebPosition supports unlimited pages...")

Regarding claim 19, "WebPosition" discloses the website management method as in claim 1, further comprising the steps of storing file names known to be webpages that exist on external websites which are not being managed. (section "Submitter", subsection "URLs tab", specifically the text "Many search engines suggest submitting only your home page (i.e. index.html, default.html, etc.) and it will 'spider' your site and find the other pages that it links to...")

Regarding claim 25, "WebPosition" discloses a website management method for managing a website's visibility on the Internet, comprising the steps of: retrieving at least one file name; (section "Step by Step Instructions, specifically "You can go to each search engine and individually submit each of your

pages, or you can use the built-in Submitter to create Missions

to do it automatically"; section "Reporter", subsection

"Creating a Mission", specifically "You may wish to set other

options such as which search engines to monitor if you do not

want to monitor them all..."; section "Tips on Improving Your

Search Rankings!", subsection "How to submit your pages",

specifically "Go to each search engine and select their submit

URL option. Page submit links for each search engine have been

provided on the Detail and Summary reports for your convenience!

Just click on the link on the report and you'll go right to the

submit page.")

creating an acceptable uniform resource locator by

combining the file name with a protocol and a domain name and

submitting the acceptable uniform resource locator containing

the file name to each of at least one Internet cataloging

engines, each submission being made in accordance with a set of

submission parameters associated with the corresponding Internet

cataloging engine. (section "Why use WebPosition?", specifically

"Once pages are created..., they must be submitted. WebPosition

offers advanced submission "safety" features not found anywhere

elsewhere that insure users don't 'over submit' to an engine or

accidentally violate one of their ever changing submission

guidelines."; section "Submitter", subsection "URLs Tab",

specifically "You should list the file(s) that you wish to
submit to the search engines. This can be your home page, your
"doorway" pages that you created in the page generator, or other
pages on your site.")

Claims 26 and 27 are rejected since claims 26 and 27 recite
a computer readable medium that contain substantially the same
limitations as recited in claims 1 and 25 respectively.

Regarding claim 28, "WebPosition" discloses t method for
providing information about a site to a network cataloger,
comprising: retrieving at least one file name; determining if
the at least one file name is to be submitted to the network
cataloger; (section "Step by Step Instructions, specifically
"You can go to each search engine and individually submit each
of your pages, or you can use the built-in Submitter to create
Missions to do it automatically"; section "Reporter", subsection
"Creating a Mission", specifically "You may wish to set other
options such as which search engines to monitor if you do not
want to monitor them all..."; section "Tips on Improving Your
Search Rankings!", subsection "How to submit your pages",
specifically "Go to each search engine and select their submit
URL option. Page submit links for each search engine have been
provided on the Detail and Summary reports for your convenience!

Just click on the link on the report and you'll go right to the

submit page.")

identifying a set of submission rules associated with the

network cataloger; creating a uniform resource locator from the

at least one file name; and submitting the uniform resource

locator to the network cataloger in accordance with the set of

submission rules. (section "Why use WebPosition?", specifically

"Once pages are created..., they must be submitted. WebPosition

offers advanced submission "safety" features not found anywhere

elsewhere that insure users don't 'over submit' to an engine or

accidentally violate one of their ever changing submission

guidelines."; section "Submitter", subsection "URLs Tab",

specifically "You should list the file(s) that you wish to

submit to the search engines. This can be your home page, your

"doorway" pages that you created in the page generator, or other

pages on your site.")

Regarding claim 29, "WebPosition" discloses the method of

claim 28, wherein creating comprises at least one of converting

the file name into a URL format compatible with the protocol of

the network cataloger, confirming that the file name is already

in a general URL format and converting the file name into the

compatible URL format, and confirming that the file name is

already in the compatible URL format. (section "Submitter",

specifically "Unlike other submitters or submitting services, WebPosition Gold's tool verifies that each page exists on Web site BEFORE submitting."; section "Submitter", subsection "URLs Tab", specifically "You should list the file(s) that you wish to submit to the search engines. This can be your home page, your "doorway" pages that you created in the page generator, or other pages on your site.")

Regarding claim 32, "WebPosition" discloses the method of claim 28, comprising monitoring a ranking assigned by the network cataloger to the uniform resource locator, and retracting the uniform resource locator in accordance with a preferred ranking. (section "Reporter", subsection "Detail Report", specifically "You can always re-word things and resubmit to the engine."; section "Tips on Improving Your Search Rankings!", subsection "The Bad News: Submitting is Not Enough", specifically "The main reason that submitting is not enough, is position. It takes some follow up, revision, and resubmitting of your pages to improve your positions on the search engines.")

Regarding claim 33, "WebPosition" discloses the method of claim 28, wherein retrieving the at least one file name comprises retrieving a name associated with a framed page, and wherein creating the uniform resource locator comprises maintaining an association between the uniform resource locator,

the name, and at least one of a framing page and the site.
(section "Tips on Improving Your Search Rankings!", subsection
"Pitfalls in Web Design", subsection "FRAMES", specifically "If
you wish to use frames, a good idea is to put in fake links in
the <NOFRAMES> section. Insert a link such as <A
HREF="my_other_page.htm">Click here</A> should work.")

Regarding claim 34, "WebPosition" discloses the method of
claim 28, wherein retrieving the at least one file name
comprises retrieving a name of an external file associated with
the site, and wherein creating the uniform resource locator
comprises maintaining an association between the uniform
resource locator, the name, and the site. (section "Submitter",
subsection "URLs tab", specifically the text "Many search
engines suggest submitting only your home page (i.e. index.html,
default.html, etc.) and it will 'spider' your site and find the
other pages that it links to...")

Regarding claim 36, "WebPosition" discloses the method of
claim 28, wherein retrieving at least one file name, comprises
retrieving a file name of a file referenced by a forbidden file,
while maintaining the anonymity of the forbidden page. (section
"Submitter", subsection "URLs Tab", specifically "You should
list the file(s) that you wish to submit to the search engines.

This can be your home page, your "doorway" pages that you

created in the page generator, or other pages on your site.")

Regarding claim 38, "WebPosition" discloses the method of

claim 28, wherein creating comprises creating the uniform

resource locator from the file name in accordance with the set

of submission rules. (section "Why use WebPosition?",

specifically "Once pages are created..., they must be submitted.

WebPosition offers advanced submission "safety" features not

found anywhere elsewhere that insure users don't 'over submit'

to an engine or accidentally violate one of their ever changing

submission guidelines."; section "Submitter", subsection "URLs

Tab", specifically "You should list the file(s) that you wish to

submit to the search engines. This can be your home page, your

"doorway" pages that you created in the page generator, or other

pages on your site.")

Regarding claim 43, "WebPosition" discloses the method of

claim 38, wherein retrieving the at least one file name

comprises retrieving a name associated with a framed page, and

wherein creating the uniform resource locator comprises

maintaining an association between the uniform resource locator,

the name, and at least one of a framing page and the site.

(section "Tips on Improving Your Search Rankings!", subsection

"Pitfalls in Web Design", subsection "FRAMES", specifically "If

you wish to use frames, a good idea is to put in fake links in

the <NOFRAMES> section. Insert a link such as <A

HREF="my_other_page.htm">Click here</A> should work.")

Claims 1 and 25-28 are rejected under 35 U.S.C. 102(b) as

being anticipated by "SelfPromotion.com Home Page"

("Selfpromotion.com")

Regarding claims 1 and 25-28, "Selfpromotion.com" discloses

a method and computer readable medium that disclose retrieving

at least one file name, determining if the at least one file

name is to be submitted to at least one of a network catalogers

or Internet cataloging engines, identifying a set of submission

rules associated with the network catalogers, creating a uniform

resource locator from the at least one file name, and submitting

the uniform resource locator containing the file name to each of

at least one of the network catalogers or Internet cataloging

engines in accordance with the set of submission rules. (page 1,

specifically "Each site has an "Add URL" page that lets you

enter information about your site into their database...Self

Promotion.com automates this process. You decide what sites you

want to register with, and fill in the information required only

once...Then "Tooter", the tireless submission daemon...goes

around the net and does all the typing for you."; page 1 and 2,

specifically "The argument is that each site has different

restrictions as to description lengths, categories, and so

on...Tooter knows exactly what each target site wants...Tooter

also knows all the categories for all the sites...")

Regarding claim 48, "WebPosition" discloses the website

management method as in claim 48, wherein the set of rules may

be determined based on variable user-defined criteria. (section

"Submitter", subsection "URLs Tab", "You should list the file(s)

that you wish to submit to the search engines.")

Claims 1 and 25-28 are rejected under 35 U.S.C. 102(b) as

being anticipated by "Submit It! User Guide: Gold and Pro

Versions" ("Submit It").

Regarding claims 1 and 25-28, "Submit It" discloses a

method and computer readable medium that disclose retrieving at

least one file name, determining if the at least one file name

is to be submitted to at least one of a network catalogers or

Internet cataloging engines, identifying a set of submission

rules associated with the network catalogers, creating a uniform

resource locator from the at least one file name, and submitting

the uniform resource locator containing the file name to each of

at least one of the network catalogers or Internet cataloging

engines in accordance with the set of submission rules. (pages

7-8, "Submit URL", step 2, specifically page 7, the text "This

second step allows you to send your Web site information to

general directories and yellow pages such as Yahoo and

InfoSpace. Most of these sites require some customization of

your information such as selecting a listing category" and

"Click on/off (select/deselect) the catalog boxes until you have

selected the desired catalogs" and page 8, the text "III. Submit

Your URL...Click the "Submit It! Button.")

Claims 1 and 25-28 are rejected under 35 U.S.C. 102(b) as

being anticipated by "1News Briefs: Promotional Tools: URL

Listing Service Monitors Engine Submission" ("1News").

Regarding claims 1 and 25-28, "1News" discloses a method

and computer readable medium that disclose retrieving at least

one file name, determining if the at least one file name is to

be submitted to at least one of a network catalogers or Internet

cataloging engines, identifying a set of submission rules

associated with the network catalogers, creating a uniform

resource locator from the at least one file name, and submitting

the uniform resource locator containing the file name to each of

at least one of the network catalogers or Internet cataloging

engines in accordance with the set of submission rules. (page 1,

specifically "...Galaxy 2020 Marketing just introduced a news

search engine submission service that...monitors changes in

search engine submission and Web site listing criteria and

adjusts and updates client listings accordingly...MegaURL tracks

where clients are listed, what page they're on, and whether and

why submission requests are received but not implemented (with

continual resubmissions until the listing is actually

accepted).)

Conclusion

The prior art listed in the PTO-892 form included with this

Office Action disclose methods, systems, and apparatus similar

to those claimed and recited in the specification. The Examiner

has cited these references to evidence the level and/or

knowledge of one of ordinary skill in the art at the time the

invention was made, to provide support for universal facts and

the technical reasoning for the rejections made in this Office

Action including the Examiner's broadest reasonable

interpretation of the claims as required by MPEP 2111 and to

evidence the plain meaning of any terms not defined in the

specification that are interpreted by the Examiner in accordance

with MPEP 2111.01. The Applicant should consider these cited

references when preparing a response to this Office Action.

THIS ACTION IS MADE FINAL. Applicant is reminded of the

extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action

is set to expire THREE MONTHS from the mailing date of this

action. In the event a first reply is filed within TWO MONTHS

of the mailing date of this final action and the advisory action

is not mailed until after the end of the THREE-MONTH shortened

statutory period, then the shortened statutory period will

expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated

from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than

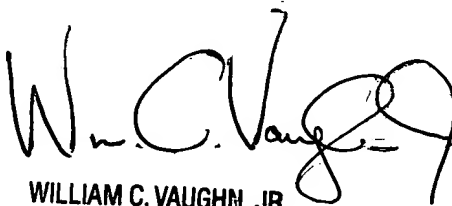SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier

communications from the examiner should be directed to George C.

Neurauter, Jr. whose telephone number is (571) 272-3918. The

examiner can normally be reached on Monday through Friday from

9AM to 5:30PM Eastern.

If attempts to reach the examiner by telephone are

unsuccessful, the examiner's supervisor, David Wiley can be

reached on (571) 272-3923. The fax phone number for the

organization where this application or proceeding is assigned is

571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

gcn

WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER